

**REMARKS**

Claim 16 through 19, 22 and 24 through 30 stand rejected under 35 USC 103(a) as being unpatentable over Ranganathan '394 in view of Nakamura WO '541. Claim 20 stands rejected under the 35 USC 103(a) as being unpatentable over Ranganathan '394 in view of Nakamura WO '541 in further view of Everhart '225. Claims 21 and 23 stand rejected under 35 USC 103(a) as being unpatentable over Ranganathan '392 in view of Nakamura WO '541 and in further view of Carlucci EP '940.

In responding to these rejections, the applicant has amended independent claim 16 to include limitations of claims 17, 18 and 21. Claims 17 and 21 have accordingly been cancelled and claim 18 amended for consistency with the limitations of new claim 16. It was necessary to re-phrase the limitations, since the original claim structure has evolved in response to attempts on the part of the applicant to address the claim interpretation issues raised in previous Office Actions with regard to recitation of the word "coating". In the course of examination and amendment, the original structure recitation of the super absorbing polymer particles as comprising a core and a coating has evolved into a different recitation thereby requiring some restructuring of the claim language. Disclosure of the new recitations is best illustrated in the original translated PCT claims 1 to 3, filed along with the application. No new matter has been added.

The new claim recitation specifies that one or more skin care products are present within the super absorbent polymer particles themselves as well as in the coating. In particular, at least 50% of the skin care products are disposed within the super absorbent polymer particles and the rest is disposed within the coating. The skin care products portion

disposed in the coating comprises a plant component, a plant abstract, plant oil or plant distillate.

The applicant submits that claim 16 as amended is distinguished from the prior art of record, since none of the prior art of record proposes integration of skin care product within the super absorbent polymer material itself, rather merely suggests deposition thereof on the surface of the particles, within the coating. With regard to recitation of the plant component, plant extract, plant oil or plant distillate skin care product presence in the coating as now given in claim 16, that disclosure has been taken from claim 21, which was rejected over Carlucci. Although Carlucci mentions that it is possible to include skin care product in the absorbent portion of the core, Carlucci states that skin care products are preferably disposed in such a fashion as to be in direct contact with the skin. Carlucci therefore provides, neither alone nor in combination with the other references, no motivation for incorporation of skin care product within the super absorbent particles themselves. (See Carlucci EP '940 page 14 lines 8 and 9 as well as lines 12 to 14, and lines 40 and 41).

The advantages of claim 16 as amended are discussed extensively on pages 4 and 5 of the specification of the instant invention. In particular, by distributing skin product between the super absorbent core and the surface/coating, a two component release timing mechanism is effected for administration thereof. The outer coating on the individual super absorbent particles initially releases skin care products, whereas skin care product within the super absorbent polymer particle portion is trapped by the coating barrier, which reduces the individual absorption rate of the polymer particles. Only after the coating barrier dissolves or swells is it possible for a skin care products portion within the super absorbent particles themselves to be released. Through disposition of skin care products within the super absorbent polymer particles and

coating, a two component time release tuning of the administration of the skin care products becomes possible.

The amended independent claim recites features missing from the prior art which have associated advantages not suggested thereby and is therefore sufficiently distinguished from the prior art of record to satisfy conditions for patenting in the United States. The dependent claims inherent the limitations of the respective base claim and are therefore similarly distinguished from the prior art of record for the reasons given. Passage to issuance of all claims is therefore respectfully requested.

No new matter has been added in this amendment.

Respectfully submitted,

*Paul Vincent*

Dr. Paul Vincent

Registration number 37,461

*April 02, 2008*

Date

Dreiss, Fuhlendorf, Steimle & Becker

Patentanwälte

Postfach 10 37 62

D-70032 Stuttgart, Germany

Telephone +49-711-24 89 38-0

Fax +49-711-24 89 38-99